

PLANNING AND DEVELOPMENT DEPARTMENT

City of Arcade, Jefferson, Georgia

RE-ZONING APPLICATION FOR THE CITY OF ARCADE

Note: The applicant must complete this and all attached forms. Failure to complete them will result in the refusal of the application. The Planning Department has up to five (5) working days to review all applications submitted for sufficiency. If the application is found insufficient, an agenda date will not be set until the required information is submitted.

Applicant :

Property Owner:

Phone: _____

Phone: _____

E-Mail: _____

E-Mail: _____

Existing Zoning District: _____

Proposed Zoning District: _____

Existing Use of Property: _____

Proposed Use: _____

Tax Map/Parcel Number _____ Acreage: _____

Location of Property (for legal ad): _____

.....
I hereby certify that the above information and all attached information are true and correct.

Signature: _____ Date: _____

.....
Application Withdraw:

I hereby withdraw the application. Signature: _____ Date: _____

.....

Staff Use Only

Application Date: _____ Taken by: _____

Tentative Planning Commission Date: _____ Tentative City Council Date: _____

Date Applicant posts signs: _____ Fee: _____

Rezoning Application # _____

ZONING DECISION CRITERIA

The Land Use Management Code specifies that the following 25 criteria may be applicable to the decision to approve or deny the rezoning request. Please complete information on this page or within the letter of intent as to which of these criteria you believe apply to your rezoning case, and provide information and facts that you believe are relevant and support your case:

REZONING APPLICATION # _____

REZONING DECISION CRITERIA	APPLICANT'S RESPONSE
1. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)	
2. Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property	
3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned	
4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools	
5. Whether the proposal is in conformity with the policy and intent of the comprehensive plan including land use element	
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal	
7. Existing use(s) and zoning of subject property	

8. Existing zoning of nearby property	
9. Existing value of the property under the existing zoning and/or overlay district classification	
10. Whether the property can be used in accordance with the existing regulations	
11. Value of the property under the proposed zoning district and/or overlay district classification	
12. Extent to which the property value of the subject property is diminished by the existing zoning district and/or overlay district classification	
13. Suitability of the subject property under the existing zoning district and/or overlay district classification for the proposed use	
14. Suitability of the subject property under the proposed zoning district and/or overlay district classification	
15. Length of time the property has been vacant or unused as currently zoned	
16. Description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district and/or overlay district classification	
17. The possible creation of an isolated zoning district unrelated to adjacent and nearby districts	
18. Possible effects of the change in zoning or overlay district map, or change in use, on the character of a zoning district or overlay district	
19. Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations	

REZONING APPLICATION # _____	
20. The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality	
21. The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these zoning regulations	
22. The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great weight. In those instances in which property fronts on a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight.	
23. The amount of undeveloped land in the general area affected which has the same zoning or overlay district classification as the map change requested	
24. The extent to which the proposed rezoning or conditional use will contribute to or detract from the community with regard to greenspace, architectural design, and landscaping	
25. In the case of rezoning to PCD, the consistency of the application with criteria specified in Section 7.8.12. of this Land Use Management Code.	

Rezoning Application # _____

CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM REQUIRED FOR ALL ZONING ACTIONS

Applicant, or person representing property owner

OCGA § 36-67A-3[c] Disclosure of campaign contributions:

(a) When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (1) The name and official position of the local government official to whom the campaign contribution was made; and
- (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten (10) days after the application for the zoning action is first filed. (Code 1981, Section OCGA § 36-67A-3[C], enacted by GA L. 1986, page 1269, Section 1, GA L. 1991, page 1365, Section 1).

I hereby certify that I have read the above and that:

I have** _____ **I have not** _____

Within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

Applicant's Signature Date

****If you have made such contributions, you must provide the data required in subsection (a) above within ten (10) days of filing this application.**

Rezoning Application # _____

AUTHORIZATION OF PROPERTY OWNER

I swear that I am the owner of the property which is the subject matter of the attached application, as shown in the records of Jackson County, Georgia.

Name of Owner(s) _____

Address _____

Telephone Number _____

Signature of Owner(s) _____

I authorize the person named below to act as applicant in the pursuit of a rezoning, conditional use, or variance of this property.

Name of Applicant(s) _____

Address _____

Telephone Number _____

Personally appeared before me

who swears that the information contained
in this authorization is true and correct to
the best of his or her knowledge and belief.

Notary Public

Date

Rezoning Application # _____

**PLANNING & DEVELOPMENT
CITY OF ARCADE
P.O. BOX 417
Jefferson, GA 30549
706/367 - 5500**

PUBLIC NOTICE REQUIREMENTS

The zoning regulations require that public notice must be given prior to all zoning hearings as follows:

- 1) A legal advertisement shall be published not less than 15 days and not more than 45 days prior to the public hearing.
- 2) A public notice sign shall be placed in a conspicuous location on the property not less than 15 days and not more than 45 days prior to the public hearing.

As the applicant, you are required to post the sign and ensure that it remains in place during the entire zoning proceeding. The sign must be placed on the property **within the specified time and in a conspicuous location. Failure to comply will result in a delay of your request.**

The purpose of the sign is to inform the public that an application has been filed. Legally, the City/Council cannot consider a request until all public notice requirements have been met. If it is determined at any time during the zoning proceeding that the sign has not been properly posted on the site, the City/Council must table or delay the request. City/Council members and planning staff often visit the site and will look for the sign. Additionally, local citizens often report when a sign has not been posted.

Multiple sign posting on a site may be required as determined by the planning department. The sign must be conspicuous and in a location where it is clearly visible. The sign cannot be obstructed in any manner, placed too far from the road, or placed in such manner that would cause it to blend into the landscape.

The sign must remain posted during the entire proceeding. Should you find the sign missing or vandalized in any manner, contact the planning department so the sign can be replaced. When the proceeding is complete and final Council action has occurred, the sign must then be removed from the property by the applicant.

THIS SIGN MUST BE POSTED NO LATER THAN _____

THIS AFFIDAVIT MUST BE SIGNED BY THE APPLICANT, DATED WITH THE DATE THE SIGN WAS CORRECTLY POSTED ON THE PROPERTY, AND RETURNED TO THE PLANNING DEPARTMENT NO LATER THAN _____.

If the affidavit is returned by mail, the envelope must be postmarked no later than the above-noted return date.

AFFIDAVIT

By my signature I, _____, hereby acknowledge that I have read and understand the sign posting requirements. I further certify that the required

Public Notice Sign was posted on _____
(Date)

Signed _____
(Signature)

PLANNING AND DEVELOPMENT DEPARTMENT

City of Arcade

**3325 Athens Highway
Jefferson, GA 30549**

**Phone: 706-367-5500
Fax: 706-367-1914**

MEMORANDUM

TO: Rezoning Applicants
RE: Instructions and Guidelines for Filing a Rezoning Application

This memo and the attached information is intended to help you file a complete application for rezoning. Before you file your rezoning application, it is recommended that you meet with the Planning Staff if possible, to ensure you have the materials necessary to file a complete application. If an incomplete application is submitted, it will not be processed and will be returned to you.

COMPLETE APPLICATION CHECKLIST

Your application will not be determined complete unless it contains all of the following:

1. _____ Application fee (refer to fee schedule)
2. _____ Application form furnished by the Zoning Administrator, including signed and Notarized signature of property owner and campaign contributions disclosure form
3. _____ Legal description of the property (metes and bounds)
4. _____ Survey plat of the property
5. _____ Site analysis and topographic map at an appropriate scale, including information on significant man-made and natural features and streams, wetlands, flood plains, and features to be retained, moved or altered
6. _____ Letter of intent describing the proposed use of the property or other action requested
7. _____ Written analysis of how the proposed action compares to decision criteria specified for deciding on the subject type of application (see application attachment)
8. _____ Site plan of the property at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements (see Section 21.2.8, "Plan Requirements")
9. _____ Statistics regarding the proposed development (see Section 21.2.9, "Development Statistics Required")
10. _____ Description of any special conditions voluntarily made a part of the request
11. _____ Other information required by the Zoning Administrator

Site plans, when submitted, should meet requirements of the Land Use Management Code.

EXAMPLE OF A COMPLETE METES AND BOUNDS LEGAL DESCRIPTION

The following example of a complete metes and bounds legal description is provided:

All that tract or parcel of land lying and being in the 245 G.M.D., Jackson County, Georgia as shown on a plat of survey of same by Venable & Associates, Inc. Surveyors, dated November 15, 1988, said plat being recorded in Plat Book 34, Page 83, Office of the Clerk of Superior Court of Jackson County, Georgia, on July 17, 1990, said tract being more particularly described as follows:

To find the POINT OF BEGINNING, proceed from the centerline of Borders Street at its intersection with Athens Street (a.k.a. U.S. Highway 129 Business), said Street having a 60 foot right-of-way, thence 198 feet more or less along the western right-of-way of said Street to an iron pin found, said point being the POINT OF BEGINNING; thence from the POINT OF BEGINNING North 79 degrees 47 minutes East a distance of 168.97 feet to an iron pin found; thence North 80 degrees 55 minutes East a distance of 39.14 feet to an iron pin found; thence North 04 degrees 23 minutes West a distance of 105.94 feet to an iron pin found; thence South 80 degrees 15 minutes West a distance of 208.73 feet to an iron pin found at the western right-of-way of Athens Street (a.k.a. U.S. Highway 129 Business), said Street having a 60 foot right-of-way; thence South 04 degrees 46 minutes East along the western right-of-way of said Street a distance of 106.81 feet to an iron pin found, said pin being the POINT OF BEGINNING;

Said tract of land containing 0.51 acre, more or less.

When multiple properties are involved, it is desirable that the legal descriptions be combined into one metes and bounds legal description. Separate legal descriptions can be acceptable, subject to acceptance by the Zoning Administrator.

SUMMARY OF THE REZONING PROCESS

(KEEP THIS AND PLAN TO ATTEND THE PUBLIC HEARINGS)

- After a complete application is received, it will be scheduled for Public Hearings first before the Arcade Planning Commission and then before the Arcade City Council. Those dates are:

_____ Arcade Planning Commission
(6:00 p.m. at the Arcade City Hall, 3325 Athens Highway, Jefferson, GA 30549)
_____ Public Hearing (6:00 p.m. Arcade City Hall)
_____ Vote by the Arcade City Council (7:00 p.m. Arcade City Hall)

PLAN TO ATTEND THESE MEETINGS OR BE REPRESENTED BY AN AGENT

- Applicant posts signs on property
- Planning Staff prepares a staff report. Upon completion of the report, prior to the public hearing before the Planning Commission, you will receive a copy of the report. Review the report and contact the planning staff if you have any questions. The staff report will not provide a "recommendation" but it will contain certain findings which may or may not support your request.
- Attend the Public Hearing of the Planning Commission and speak in favor of the application. You should familiarize yourself with the procedures that will be followed during the Public Hearing. For procedures governing the public hearing, see Chapter 21.3 of the Land Use Management Code, or request a copy from the Zoning Administrator.
- The Planning Commission will make a recommendation after the hearing. You will receive notice from the Planning staff on the recommendation made by the Commission.
- Attend the Public Hearing. The same Public Hearing procedures apply.
- Attend the meeting of the Arcade City Council at which the rezoning case will be voted upon.
- You will receive notice from the Planning staff on the decision made by the Arcade City Council.
- If you have further questions, need to withdraw the application, or make additions to the application, please contact the City of Arcade Zoning Administrator.